

Senate File 2358 - Enrolled

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SENATE FILE 2358

AN ACT

RELATING TO THE ADMINISTRATIVE DUTIES OF THE STATE BOARD OF REGENTS.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

Section 1. Section 15H.3, subsection 1, paragraph e, Code Supplement 2005, is amended to read as follows:

e. The executive ~~secretary~~ director of the state board of regents, or the executive ~~secretary's~~ director's designee.

Sec. 2. Section 261.1, subsection 1, Code 2005, is amended to read as follows:

1. A member of the state board of regents to be named by the board, or the ~~secretary thereof~~ executive director of the board if so appointed by the board, who shall serve for a four-year term or until the expiration of the member's term of office. Such member shall convene the organizational meeting of the commission.

Sec. 3. Section 262.7, subsection 1, Code 2005, is amended to read as follows:

1. The state university of Iowa, including the university of Iowa hospitals and clinics.

Sec. 4. Section 262.8, Code 2005, is amended to read as follows:

262.8 MEETINGS.

The board shall meet four times a year. Special meetings may be called by the board, by the president of the board, or by the ~~secretary~~ executive director of the board upon written request of any five members thereof.

Sec. 5. Section 262.11, Code 2005, is amended to read as follows:

262.11 RECORD == ACTS AFFECTING PROPERTY.

All acts of the board relating to the management, purchase, disposition, or use of lands and other property of said institutions shall be entered of record, which shall show the members present, and how each voted upon each proposition. The board may, in its discretion, delegate to each university the authority to approve leases.

Sec. 6. Section 262.34A, Code 2005, is amended to read as follows:

262.34A BID REQUESTS AND TARGETED SMALL BUSINESS

PROCUREMENT.

1. The state board of regents shall request bids and proposals for materials, products, supplies, provisions, and other needed articles to be purchased at public expense, from Iowa state industries as defined in section 904.802, subsection 2, when the articles are available in the requested quantity and at comparable prices and quality.

2. Notwithstanding section 73.16, subsection 2, the board may issue electronic bid notices for distribution to the targeted small business internet site through internet links to each of the regents institutions.

3. Notwithstanding section 73.17, the board shall notify the director of the department of economic development of regents institutions' targeted small business purchases on an annual basis.

Sec. 7. Section 262.58, Code 2005, is amended to read as follows:

262.58 RATES AND TERMS OF BONDS OR NOTES.

Such bonds or notes may bear such date or dates, may bear interest at such rate or rates, payable semiannually, may mature at such time or times, may be in such form, carry such registration privileges, may be payable at such place or places, may be subject to such terms of redemption prior to maturity with or without premium, if so stated on the face thereof, and may contain such terms and covenants all as may be provided by the resolution of the board authorizing the issuance of the bonds or notes. In addition to the estimated cost of construction, the cost of the project shall be deemed to include interest upon the bonds or notes during construction and for six months after the estimated completion

3 4 date, the compensation of a fiscal agent or adviser, and
3 5 engineering, administrative and legal expenses. Such bonds or
3 6 notes shall be executed by the president of the state board of
3 7 regents and attested by the ~~secretary thereof~~ executive
3 8 director of the state board of regents and the coupons thereto
3 9 attached shall be executed with the original or facsimile
3 10 signatures of said president and ~~secretary~~ executive director.
3 11 Any bonds or notes bearing the signatures of officers in
3 12 office on the date of the signing thereof shall be valid and
3 13 binding for all purposes, notwithstanding that before delivery
3 14 thereof any or all such persons whose signatures appear
3 15 thereon shall have ceased to be such officers. Each such bond
3 16 or note shall state upon its face the name of the institution
3 17 on behalf of which it is issued, that it is payable solely and
3 18 only from the net rents, profits and income derived from the
3 19 operation of residence halls or dormitories, including dining
3 20 and other incidental facilities, at such institution as
3 21 hereinbefore provided, and that it does not constitute a
3 22 charge against the state of Iowa within the meaning or
3 23 application of any constitutional or statutory limitation or
3 24 provision. The issuance of such bonds or notes shall be
3 25 recorded in the office of the treasurer of the institution on
3 26 behalf of which the same are issued, and a certificate by such
3 27 treasurer to this effect shall be printed on the back of each
3 28 such bond or note.

3 29 Sec. 8. Section 262A.6, Code 2005, is amended to read as
3 30 follows:

3 31 262A.6 FORM AND CONDITION OF BONDS.

3 32 Such bonds may bear such date or dates, may bear interest
3 33 at such rate or rates, payable semiannually, may mature at
3 34 such time or times, may be in such form and denominations, may
3 35 carry such registration privileges, may be payable at such
4 1 place or places, may be subject to such terms of redemption
4 2 prior to maturity with or without premium, if so stated on the
4 3 face thereof, and may contain such terms and covenants,
4 4 including the establishment of reserves, all as may be
4 5 provided by the resolution of the board authorizing the
4 6 issuance of the bonds. In addition to the estimated cost of
4 7 construction, including site costs, the cost of the project
4 8 may include interest upon the bonds during construction and
4 9 for six months after the estimated completion date, the
4 10 compensation of a fiscal agent or adviser, engineering,
4 11 architectural, administrative and legal expenses and provision
4 12 for contingencies. Such bonds shall be executed by the
4 13 president of the state board of regents and attested by the
4 14 executive ~~secretary~~ director, secretary or other official
4 15 thereof performing the duties of ~~secretary~~ executive director,
4 16 and the coupons thereto attached shall be executed with the
4 17 original or facsimile signatures of said president, executive
4 18 ~~secretary~~ director, secretary or other official; provided,
4 19 however, that the facsimile signature of either of such
4 20 officers executing such bonds may be imprinted on the face of
4 21 the bonds in lieu of the manual signature of such officer, but
4 22 at least one of the signatures appearing on the face of each
4 23 bond shall be a manual signature. Any bonds bearing the
4 24 signatures of officers in office on the date of the signing
4 25 thereof shall be valid and binding for all purposes,
4 26 notwithstanding that before delivery thereof any or all such
4 27 persons whose signatures appear thereon shall have ceased to
4 28 be such officers. Each such bond shall state upon its face
4 29 the name of the institution on behalf of which it is issued,
4 30 that it is payable solely and only from the student fees and
4 31 charges and institutional income received by such institution
4 32 as hereinbefore provided, and that it does not constitute a
4 33 debt of or charge against the state of Iowa within the meaning
4 34 or application of any constitutional or statutory limitation
4 35 or provision. The issuance of such bonds shall be recorded in
5 1 the office of the treasurer of the institution on behalf of
5 2 which the same are issued, and a certificate by such treasurer
5 3 to this effect shall be printed on the back of each such bond.

5 4 Sec. 9. Section 263A.4, Code 2005, is amended to read as
5 5 follows:

5 6 263A.4 BONDS OR NOTES PROVISIONS.

5 7 Such bonds or notes may bear such date or dates, may bear
5 8 interest at such rate or rates, payable semiannually, may
5 9 mature at such time or times, may be in such form and
5 10 denominations, carry such registration privileges, may be
5 11 payable at such place or places, may be subject to such terms
5 12 of redemption prior to maturity with or without premium, if so
5 13 stated on the face thereof, and may contain such terms and
5 14 covenants, including the establishment of reserves, all as may

5 15 be provided by the resolution of the board authorizing the
5 16 issuance of the bonds or notes. In addition to the estimated
5 17 cost of construction, including site costs, the cost of the
5 18 project may include interest upon the bonds or notes during
5 19 construction and for six months after the estimated completion
5 20 date, the compensation of a fiscal agent or adviser,
5 21 engineering, architectural, administrative, and legal expenses
5 22 and provision for contingencies. Such bonds or notes shall be
5 23 executed by the president of the state board of regents and
5 24 attested by the executive ~~secretary~~ director, secretary, or
5 25 other official thereof performing the duties of ~~secretary~~
5 26 executive director, and the coupons thereto attached shall be
5 27 executed with the original or facsimile signatures of said
5 28 president, executive ~~secretary~~ director, secretary, or other
5 29 official; provided, however, that the facsimile signature of
5 30 either of such officers executing such bonds may be imprinted
5 31 on the face of the bonds in lieu of the manual signature of
5 32 such officer, but at least one of the signatures appearing on
5 33 the face of each bond shall be a manual signature. Any bonds
5 34 or notes bearing the signatures of officers in office on the
5 35 date of the signing thereof shall be valid and binding for all
6 1 purposes, notwithstanding that before delivery thereof any or
6 2 all such persons whose signatures appear thereon shall have
6 3 ceased to be such officers. Each such bond or note shall
6 4 state upon its face the name of the institution on behalf of
6 5 which it is issued, that it is payable solely and only from
6 6 hospital income received by such institution as provided in
6 7 this chapter, and that it does not constitute a debt of or
6 8 charge against the state of Iowa within the meaning or
6 9 application of any constitutional or statutory limitation or
6 10 provision. The issuance of such bonds or notes shall be
6 11 recorded in the office of the treasurer of the institution,
6 12 and a certificate by such treasurer to this effect shall be
6 13 printed on the back of each such bond or note.

6 14 Sec. 10. Section 262.29, Code 2005, is repealed.

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6 18 JEFFREY M. LAMBERTI
6 19 President of the Senate

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6 23 CHRISTOPHER C. RANTS
6 24 Speaker of the House

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6 26 I hereby certify that this bill originated in the Senate and

6 27 is known as Senate File 2358, Eighty-first General Assembly.

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6 31 MICHAEL E. MARSHALL
6 32 Secretary of the Senate

6 33 Approved _____, 2006

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7 2 THOMAS J. VILSACK
7 3 Governor